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PERSONAL AND CONFIDENTIAL**To:** Examiner Kagnew Gebreyesus**From:** Gary Baker

USPTO, Group 1656

Fax: 571 273-2937**Date:** May 5, 2008**Phone:****Pages:** 4 including cover**Re:** USSN 10/530,421**our file:** 54-000170US

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Dear Examiner Gebreyesus,**Attached is a copy of the Terminal Disclaimer we mailed on Tuesday, the 29th.****Thanks for expediting this case,****Gary Baker 510 769-3510**

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PTO/SB/21 (05-03)

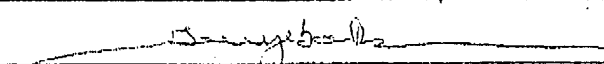
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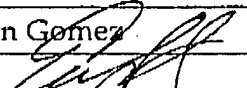
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| | | |
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| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Application Number | 10/530,421 |
| | Filing Date | April 5, 2005 |
| | First Named Inventor | Peter G. Schultz |
| | Group Art Unit | 1656 |
| | Examiner Name | Kagnew H. Gebreyesus |
| Total Number of Pages in This Submission | Attorney Docket Number | 54A-000170US |

| ENCLOSURES (check all that apply) | | |
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| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers (for an Application) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment / Response | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Status Letter |
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| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | Remarks | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|--|
| Firm or Individual name | Gary Baker, Reg. No. 41,595, Quine Intellectual Property Law Group P.C. |
| Signature |  |
| Date | April 29, 2008 |

| CERTIFICATE OF MAILING | | | |
|--|---|------|---------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, DC 20231 on this date: | | | |
| Typed or printed name | Evelyn Gomez | Date | 4/29/08 |
| Signature |  | | |

(Modified) PTO/SB/26 (10-98)
Approved for use through 10/31/99. OMB 0651-0031TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PENDING APPLICATIONDocket Number (Optional)
54A-000170US

In re Application of: **Peter G. Schultz et al.**
Application No. **10/530,421**
Filed: **May 4, 2005**
For: **SITE SPECIFIC INCORPORATION OF KETO AMINO ACIDS INTO PROTEINS**

The owner, **The Scripps Research Institute**, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term, defined in 35 U.S.C. 154 to 156 and 173, of U.S. Patent Number. **6,927,042** (said patent). The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and said patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of said patent in the event that said patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☐ The undersigned is an attorney of record.


Signature

4/24/2008
Date

Thomas Fitting, Chief Patent Counsel
Typed or printed name

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

*Certification under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP §324.

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RE: Status Inquiry for SITE SPECIFIC INCORPORATION OF KETO AMINO ACIDS INTO PROTEINS

TITLE OF DOCUMENT(S):

- Transmittal
- Terminal Disclaimer
- Acknowledgement postcard

Application No. 10/530,421
File No. 54A-000170US
Date Mailed 29 April 2008
Atty/Secty. GB/emg